

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA

PLAINTIFF/RESPONDENT

V.

Criminal No. 04-50044

KEVIN GLADNEY

DEFENDANT/MOVANT

ORDER

On June 10, 2016, Defendant filed an Amended 28 U.S.C. § 2255 motion (Doc. 72), seeking relief in the form of re-sentencing under Johnson v. United States, 135 S. Ct. 2551 (2015). On June 27, 2016, the Supreme Court granted certiorari in Beckles v. United States, Case No. 15-8544, to determine whether Johnson applies retroactively to the use of the residual clause in U.S.S.G. 4B1.2(a)(2). Upon due consideration, the Court finds it appropriate to stay this action pending the Supreme Court's ruling in Beckles. The District Court Clerk is directed to administratively terminate Defendant's § 2255 motion (Doc. 72). Within ten days of the Supreme Court issuing a ruling in Beckles, defense counsel is directed to file a motion to reopen the § 2255 motion.

IT IS SO ORDERED this 5th day of July, 2016.

/s/ Erin L. Setser

HON. ERIN L. SETSER
UNITED STATES MAGISTRATE JUDGE